

Felony ☒ JUDGE/
Minor Offense ☐ MAGISTRATE
Other Misdemeanor ☐

Assigned Trial
8509
1085 District Office 4
Disp./Sentence
11-13-75

U. S. vs. McKINNEY, MILTON (35)
125 E. Haskell Pl.
Tulsa, Ok 74106
Can be reached at 584-0706 or 425-8865 defendant

Case Filed Day, Mo. 0810
Yr. 75
Docket No. 75-CR-141 - 1
Def. 1
No. of 1
Defendants

I. CHARGES

U. S. CODE SECTION 18:922(a)(6)
OFFENSES Misrep. in acquisition of firearm materials
COUNTS 1
5 yrs. &/or \$5,000

MAGR. CASE NO.
BAIL • RELEASE
☐ Personal Recog.
☐ Denied ☐ Unsecured Bond
AMT Conditional Release
Set (000) \$ 5 ☐ 10% Deposit
10-8-75 ☒ Surety Bond
date ☐ Collateral
☐ Bail Not Made ☐ 3rd Party
☒ Bail Status Changed ☐ Custody
(See Docket) ☐ PSA

ATTORNEYS

U.S. Attorney or Asst. Ben F. Baker, Asst.
Defense: ☒ A ☒ Ret. ☐ Waived ☐ Self ☐ None ☐ Other ☐ LPD ☐ LCD
Michael P. Atkinson Herbert Elias
200-Franklin-Bldg. 100 Center Bldg
Tulsa, -Ok-74103- Tulsa, Ok

II. KEY INTERVALS & DATES

ARREST	INDICTMENT <input checked="" type="checkbox"/>	ARRAIGNMENT	TRIAL	SENTENCE
10-24-75 U.S. Custody Began on Above Charges 10-24-75	10-8-75 Information <input type="checkbox"/> Waived <input type="checkbox"/> Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>	10-28-75 1st Plea " " Final Plea 11-13-75	Trial Set For <input checked="" type="checkbox"/> Not Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Nolo <input checked="" type="checkbox"/> Guilty	Voir Dire <input type="checkbox"/> Trial Began <input type="checkbox"/> Trial Ended Disposition 11-13-75 <input type="checkbox"/> Convicted <input checked="" type="checkbox"/> On All Charges <input type="checkbox"/> Acquitted <input type="checkbox"/> On Lesser* Offense(s) <input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP; <input type="checkbox"/> WP* <input type="checkbox"/> Nolle/Discontinued*

III. MAGISTRATE

Search Warrant	Issued	DATE	INITIAL/No.	INITIAL APPEARANCE	INITIAL/No.	OUTCOME <input type="checkbox"/> Dismissed <input type="checkbox"/> Held for District GJ <input type="checkbox"/> Held to Answer to U. S. District Court AT: Magistrate's Initials
Summons	Return			PRELIMINARY EXAMINATION OR REMOVAL HEARING Date Scheduled _____ Date Held _____ <input type="checkbox"/> Waived <input type="checkbox"/> Intervening Indictment <input type="checkbox"/> Not Waived		
	Issued					
	Served					
Arrest Warrant						
COMPLAINT				Tape No.	INITIAL/No.	
OFFENSE (In Complaint)						

IV. MAGISTRATE & DISTRICT COURT DOCKET ENTRIES

* Show last names and suffix numbers of other defendants on same indictment/information		V. Excludable Delay			
DATE	PROCEEDINGS	(a)	(b)	(c)	(d)
10-8-75	Record vote of the Grand Jury, filed in Open Court. v				
10-8-75	Indictment, filed in Open Court. (AEB-J)v				
10-24-75	Case set for arraignment & plea on 11-29-75, at 10:00 A.M. (AEB-J)b nts mld				
10-28-75	Case called for arraignment. Deft present & represented by retained co. Herbert Elias. Ct. appt. co. allowed to w/draw. Govt. represented. Deft. acknowledges receipt of indict. & advised of charge. Deft. arraigned & enters plea of NOT BUILTY. Deft. given 10 days to file motions & Govt. 5 days to respond. Case to be set for trial no later than 1-12-76. Deft's bond reduced to \$5,000 personal. Ct. orders pre-sentence report.(AEB-J)b				
10-28-75	Appearance Bond in amt. of \$5,000 (personal), filed, with Ord. spec. methods & conditions of release.b				
10-30	Financial Aff. of Deft., Appt. of Counsel (copy), & Waiver of Counsel, filed. v				
10-30	Return on Warrant of Arrest of Deft., filed. Rec'd 10-20-75 & executed by USM on 10-24-75 by arresting Deft. in Tulsa.v				
11-12	MO: Case set for Change of Plea 11-13-75 at 9:45 a.m.(AEB-J)v <i>Not by phone</i>				

DATE	IV. PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
11-13-75	Case called for change of plea. Deft. present & represented. Govt. represented. Deft. placed under oath. Deft. withdraws plea of Not Guilty and enters plea of GUILTY & is adjudged GUILTY as charged. Deft. waives jury & waiver is signed & filed in open court. Indict. read. Deft & co. asked if they have anything to say before sentence is pronounced. Judgment & Sentence - Milton McKinney Atty. Gen. - Sixty (60) months, Three (3) months in jail type institution, the execution of the remainder of sentence of imprisonment is hereby suspended & deft. is placed on probation for fifty-seven (57) months. Deft. remanded to USM.(AEB-J)b				
11-13-75	Judgment & Commitment, filed & entered.(AEB-J)b				
11-13-75	Two c/c of J&C to USM. b				
12-9-75	c/c of J&C, ret. & filed: deft. Herbert Elias delivered to Tulsa County Jail on 11-13-75, gar				
12-12-75	Order, filed, overruling mtn. for red. of sentence of deft. McKinney, (AEB-J)jj copies mailed				
		(a)	(b)	(c)	(d)
Interval (per Section II)		Start Date End Date		Ltr. Code	Total Days

LETTER CODES

For Identifying
Periods of Exclud-
able Delay Per 18
U.S.C. 3161(h)

A. Examination or
hearing for
mental or
physical in-
capacity (18
U.S.C. 4244).

B. NARA Exam-
ination (28
U.S.C. 2902).

C. State or Federal
trials on other
charges.

D. Interlocutory
Appeals.

E. Hearings on
pretrial motions.

F. Transfers from
other district
per F.R.Cr.P.
Rules 20, 21
& 40).

G. Defendant Mo-
tion is actually
under advise-
ment. Period of
up to 30 days
is excludable
per
3161(h)(1)(G).

H. Miscellaneous
Proceedings:
Probation or
Parole revoca-
tion, Deporta-
tion,
Extradition.

I. Prosecution de-
ferred by
mutual agree-
ment.

M. Unavailability
of defendant
or essential
witness.

N. Period of men-
tal or physical
incompetence
of defendant to
stand trial.

O. Period of
NARA Com-
mitment or
Treatment.

P. Superseding
indictment
and/or new
charges.

R. Defendant
awaiting trial
of Co-defen-
dant when no
severance has
been granted.

T. Continuances
Granted per
3161(h)(8)
(i.e. ends of
justice or com-
plexity of case
outweighs de-
fendant's
interests).

U. Time between
guilty plea and
plea with-
drawal.

V. Time while
moving prisoner
from state insti-
tutions per
transfer/
detainer pro-
cedure.

W. Grand jury in-
dictment ex-
tended per
3161 (b).

Y. Any delay ex-
cluded by court
order for reasons
not included
above.